

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Dynamic Bandwidth Allocation to Transmit a Wireless Protocol Across a Code Division Multiple Access (CDMA) Radio Link

the specification of which (check one)

- [ ] is attached hereto.
- [X] was filed on June 19, 2000 as United States Application  
Number or PCT International Application No. 09/596,425  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Not Claimed</u>	<u>Certified Copy Filed?</u>
			<u>YES</u>	<u>NO</u>
(Number)	(Country)	(Day/Month/Year filed)	[ ]	[ ] [ ]
(Number)	(Country)	(Day/Month/Year filed)	[ ]	[ ] [ ]
(Number)	(Country)	(Day/Month/Year filed)	[ ]	[ ] [ ]

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>60/050.338</u> (Application Number)	<u>06/20/97</u> (Filing Date)
<u>60/050.277</u> (Application Number)	<u>06/20/97</u> (Filing Date)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

08/992,760 (Application Serial No.)	12/17/97 (Filing date)	Pending (Status: patented, pending, abandoned)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

As a named inventor, I hereby appoint the attorneys and/or agents associated with  
Hamilton, Brook, Smith & Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02421-4799  
**Customer No. 21005,**

and \_\_\_\_\_  
to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please send correspondence to:

[ X ] Customer No.

21005  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
Two Militia Drive  
Lexington, MA 02421-4799

or

[ ] Address as follows:

Direct telephone calls to: David J. Thibodeau, Jr. Esq. Telephone No.: 781-861-6240

Direct facsimiles to: David J. Thibodeau, Jr. Esq. Facsimile No.: 781-861-9540

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Thomas E. Gorsuch

Inventor's Signature Thomas E. Gorsuch

Date 7/25/00

Residence 530 Franklyn Avenue

Indialantic, FL 32903

Citizenship USA

Post Office Address same as above

Full name of second joint

inventor, if any Carlo Amalfitano

Inventor's Signature Carlo Amalfitano Date 7/25/2000

Residence 705 Riverside Drive

Melbourne Beach, FL 32951

Citizenship Italy

Post Office Address same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas E. Gorsuch and Carlo Amalfitano  
Application No.: 09/596,425 Group Art Unit: 2681  
Filed: June 19, 2000 Examiner: Contee, Joy K.  
Confirmation No.: 6699  
Title: Dynamic Bandwidth Allocation To Transmit A Wireless Protocol Across  
A Code Division Multiple Access (CDMA) Radio Link

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>9/27/02</u>	<u>Nadene Z. Kush</u> _____ Signature
<u>Nadene Z. Kush</u> _____ Typed or printed name of person signing certificate	

REVOCATION OF POWERS OF ATTORNEY  
AND APPOINTMENT OF NEW ATTORNEYS AND/OR AGENTS

Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Tantivy Communications, Inc., a Corporation duly organized under the laws of the State of Delaware, is the assignee of the entire right, title and interest in the above-identified application. Tantivy Communications, Inc. hereby appoints the attorneys and/or agents associated with:

**Customer No. 27975**

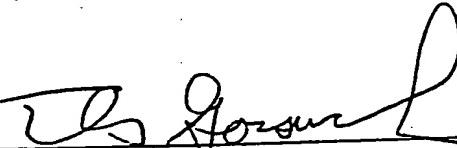
Allen, Dyer, Dopplet, Milbrath & Gilchrist, P.A.  
255 South Orange Avenue, Suite 1401  
Orlando, Florida 32801

to prosecute the above-identified application and any divisions or continuations thereof and to conduct all business in the United States Patent and Trademark Office. All previously granted Powers of Attorney are hereby revoked.

A statement under 37 C.F.R. §3.73(b) is submitted herewith.

All correspondence should be sent to Customer No. 27975, Allen, Dyer, Dopplet, Milbrath & Gilchrist, P.A., 255 South Orange Avenue, Suite 1401, Orlando, Florida, 32801. Please direct all telephone calls to Michael W. Taylor, Esq. at (407) 841-2330, and all facsimile communications to (407) 841-2343.

Respectfully submitted,  
Tantivy Communications, Inc.

By   
Thomas E. Gorsuch

Title Vice President of Product Development

Date 7/25/2

Docket No. 2479.1002-014

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Applicants: Thomas E. Gorsuch and Carlo Amalfitano

Application No.: 09/596,425

Filed: June 19, 2000

For: Dynamic Bandwidth Allocation To Transmit A Wireless Protocol Across A Code Division Multiple Access (CDMA) Radio Link

Tantivy Communications, Inc.

(Name of Assignee)

a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A.  the assignee of the entire right, title and interest in the patent application identified above; or
- B.  an assignee together with [ ] of the entire right, title and interest in the patent application identified above. A separate Statement under 37 CFR § 3.73(b) is being submitted.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

A.  An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 011050, Frame 0381-0384, or a copy thereof is attached.

OR

B.  A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 9/25/02

Name: Thomas E. Gorsuch

Title: Vice President of Product Development

Signature: 